

June 19, 2009

Ex Parte

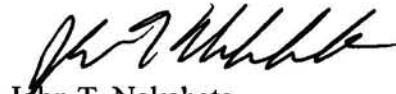
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Petition of Telcordia Technologies Inc. to Reform Amendment 57 and to Order a
Competitive Bidding Process for Number Portability Administration, WCB
Docket No. 07-149*

Dear Ms. Dortch:

On June 18, 2009 Paul Margie of Wiltshire & Grannis, LLP and I on behalf of Telcordia Technologies, Inc. met with Jennifer Schneider, Legal Adviser to Acting Chairman Copps, regarding Telcordia's request for a standstill order pending adjudication of the dispute filed with NANC. We provided her with the attached document, which summarizes our presentation.

Sincerely,



John T. Nakahata
Counsel to Telcordia Technologies, Inc.

cc: Jennifer Schneider

THE COMMISSION SHOULD GRANT TELCORDIA'S REQUEST FOR A STANDSTILL ORDERPENDING THE NANC DISPUTE RESOLUTION PROCESS

Telcordia has shown:

- A likelihood of success on the merits;
- Harm to third parties including Telcordia;
- No offsetting harm to third parties.

NeuStar claims that:

- Telcordia seeks to insert itself into a “commercial dispute.” **Wrong.** This is a regulatory issue about compliance with the Commission’s rules that is being pursued through the regulatory processes expressly created by the Commission.
- Telcordia seeks to block NeuStar from competing with Telcordia in ENUM services. **Wrong.** In making this argument, NeuStar admits that this issue is about ENUM services and not the completion of telephone calls. ENUM services are not limited to a single provider (unlike the current NPAC). Telcordia objects to NeuStar trying to use its NPAC monopoly to cross-subsidize its entry into ENUM services, which is not permitted by FCC rules and would be anticompetitive and bad public policy. NeuStar can enter and provide ENUM services on the same footing as everyone else, even under the standstill order.

Likelihood of Success on the Merits:

- 47 C.F.R. 52.25(f) states: “The information contained in the regional databases shall be limited to the information necessary to route telephone calls to the appropriate telecommunications carriers. The NANC shall determine what specific information is necessary.” All other information can go into downstream databases. 47 C.F.R. § 52.25(i).
- Telcordia’s dispute filed with NANC alleges that the URI fields for VoIP, picture messaging (MMS) and text messaging (SMS) are not necessary to route telephone calls to the appropriate telecommunications carrier, and that NANC has made no finding that the information is necessary.
 - In its ex parte of June 17, 2009, NeuStar never asserts that these fields are necessary to route telephone calls.
 - NeuStar also does not dispute that NANC has made no necessity finding.
- NeuStar argues only that the fields have been approved by the LNPA Working Group and NAPM. But neither of those entities are NANC, which is the only entity specified in the FCC ‘s rules.
- Accordingly, Telcordia has demonstrated a substantial likelihood of success that adding the URI fields to the NPAC database violates 47 C.F.R. 52.25(f).

Third Parties will suffer irreparable harm:

- NeuStar asserts that Telcordia will not be harmed. That is not correct. If a customer wants to use the URI fields, Telcordia will have to modify its portion of the local systems infrastructure used by carriers in order to accommodate the use of these unlawful fields. That will harm Telcordia to the extent it cannot recover these costs from its customers, and it will certainly harm Telcordia’s customers. Also any business lost to NeuStar’s illegal database would be irreparable.
- Just as importantly, there are other entities that provide local systems infrastructure used by carriers that would also have to modify their systems. NeuStar has never acknowledged these costs, or that once sunk, they are not reversible.

No significant harm from the grant of the standstill order:

- NeuStar assert that consumers and providers that would like to use the URI fields would be harmed by delay in using these services. This assumes, without basis, that NeuStar’s services are unique.
- In any event, any claimed benefits are outweighed by the difficulty of “unscrambling the omelette” after the fact, in the event that NANC and the Commission conclude that Telcordia is correct that the URI fields violate Rule 52.25(f).